FILED
JAN 15 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA	Magistrate Case No.: '08 MJ 8019
Plaintiff,	COMPLAINT FOR VIOLATION OF
v.	21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)
Jesus MADUENA-Robledo	
Defendant.	**"AMENDED"**

The undersigned complainant being duly sworn states:

That on or about January 11, 2008, within the Southern District of California, defendant Jesus MADUENA-Robledo did knowingly and intentionally import approximately 63.74 kilograms (140.22 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

DOUGLAS A. STRUCKMEYER
Special Agent
U. S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 14TH DAY OF JANUARY, 2008.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

UNITED STATES OF AMERICA

v.

Jesus MADUENA-Robledo

STATEMENT OF FACTS

Statement of Facts is being amended to correct the misspelling of MADUENA's last name.

This complaint is based upon the personal observations, investigation and information provided to U. S. Immigration and Customs Enforcement Special Agent Douglas Struckmeyer.

On January 11, 2008, Jesus MADUENA-Robledo entered the United States at the Calexico, CA West Port of Entry. MADUENA was the driver and sole occupant driver of a 2004 Jeep Grand Cherokee utility vehicle registered to another person.

After receiving a negative Customs declaration from MADUENA, Customs and Border Protection (CBP) Officers discovered 16 packages wrapped in brown postal tape hidden within the spare tire well of the Jeep. The packages contained a green leafy substance which field-tested positive for marijuana. The total weight of the packages was 63.74 kilograms.

Special Agents (S/A) Douglas Struckmeyer and Rafael Silva interviewed MADUENA. S/A Struckmeyer furnished MADUENA with his constitutional rights per Miranda in English with S/A Silva present. MADUENA orally waived his rights, as well as signing the written waiver of rights, agreeing to make a statement.

MADUENA stated that he knew the vehicle contained marijuana. He said that he was hired to drive the vehicle into the United States and that he was going to be paid $3,000 for smuggling the marijuana into the United States.

MADUENA was arrested by ICE Agents for violation of 21 U.S.C. 952 and 960, Importation of Marijuana. MADUENA was booked into the Imperial County Jail, El Centro, CA pending an appearance in U. S. Magistrate Court.